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2 **UNITED STATES DISTRICT COURT**

3 **DISTRICT OF NEVADA**

4 Elsa Victoria De La Cruz,

5 Petitioner,

6 v.

7 The United States of America, et al.,

8 Respondents.
9

Case No.: 2:20-cv-01712-APG-NJK

Order

10 Petitioner Elsa Victoria De La Cruz has filed a habeas corpus petition under 28 U.S.C.
11 § 2241, in which she challenges her continued detention by Immigration and Customs
12 Enforcement (ICE). ECF No. 1. She claims her continued detention violates her constitutional
13 rights because, at her bond hearing, “the Immigration Judge applied the wrong legal standard and
14 imposed the burden of proof on her rather than the Government.” *Id.* at 2. Having conducted an
15 initial review of the petition, I will direct service of the petition on the respondents and set
16 briefing deadlines.

17 I HEREBY ORDER the Clerk to **serve** copies of the petition (ECF No. 1) and this order
18 upon the respondents as follows:

19 1. By having the United States Marshal serve a copy of the petition (ECF No. 1) and this
20 order on the United States Attorney for the District of Nevada or on an Assistant United States
21 Attorney or clerical employee designated by the United States Attorney under Federal Rule of
22 Civil Procedure 4(i)(1)(A).
23

1 2. By sending a copy of the petition (ECF No. 1) and this order by registered or certified
2 mail to the following: (1) the Honorable William Barr, Attorney General of the United States,
3 Department of Justice, 950 Pennsylvania Ave. NW, Washington, DC 20530; (2) the Honorable
4 Chad Wolf, Secretary of the U.S. Department of Homeland Security, Washington, DC 20528;
5 (3) Kerri Ann Quihuis, Field Office Director, United States Immigration and Customs
6 Enforcement, 501 Las Vegas Blvd. S., Las Vegas, Nevada, 89101; and (4) Jeanne M. Kent,
7 Officer in Charge, United States Citizenship and Immigration Services, 5650 Badura Ave., Suite
8 100, Las Vegas, Nevada, 89118.

9 I FURTHER ORDER the respondents to file and serve an answer or other response to the
10 petition (ECF No. 1) by **October 7, 2020**, unless for good cause additional time is allowed. Ms.
11 De La Cruz will thereafter have **14 days** to file a reply.

12 I FURTHER ORDER that all exhibits must be filed in accordance with LR IA 10-3 and
13 LR IC 2-2 and include a separate index identifying each exhibit by number or letter. The index
14 must be filed in CM/ECF's document upload screen as the base document to receive the base
15 docket number (e.g., ECF No. 10). Each exhibit must then be filed as an "attachment" to the
16 base document—the index—to receive a sequenced sub-docket number (e.g., Exhibit A (ECF
17 No. 10-1), Exhibit B (ECF No. 10-2), Exhibit C (ECF No. 10-3), and so forth). If the exhibits
18 will span more than one filing, the base document in each successive filing must be either a copy
19 of the index or volume cover page. *See* LR IC 2-2(a)(3)(A).

20 For this case, NO PAPER COURTESY COPIES are required.

21 Dated: September 16, 2020



22
23 U.S. District Judge Andrew P. Gordon